## LISTING OF CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

- 1. (Cancelled).
- 2. (Currently Amended) A strain according to claim 1 The method of claim 23 wherein the gene encodes an enzyme, which is active early in the purine pathway.
- 3. (Currently Amended) A strain according to claim 1 The method of claim 23 wherein the gene is one of the first six enzymes in the purine pathway.
- 4. (Currently Amended) A strain according to claim 1 The method of claim 23 wherein the gene is *purF*.
- 5. (Currently Amended) A strain according to claim 1 The method of claim 23 wherein said gene is inactivated by complete or partial deletion mutation or by insertional mutation.
- 6. (Currently Amended) A strain according to claim 1 which The method of claim 23 wherein the live strain is a strain of Francisella tularensis.
- 7. (Currently Amended) A strain according to The method of claim 6 which wherein the live strain is a strain of *Francisella tularensis* subspecies *tularensis*.
- 8. (Currently Amended) A strain according to The method of claim 6 which wherein the live strain is a strain of *Francisella tularensis* subspecies *novicida*.
- 9. (Previously Presented) A pharmaceutical composition comprising a live strain of *Francisella* species wherein a gene, which encodes an enzyme in the purine pathway,

has been inactivated, and which is able to produce a protective immune response in an animal, in combination with a pharmaceutically acceptable carrier.

- 10. (Currently Amended) A <u>The</u> composition according to <u>of</u> claim 9 wherein the gene encodes an enzyme, which is active early in the purine pathway.
- 11. (Currently Amended) A <u>The</u> composition of claim 9 wherein the gene is one of the first six enzymes in the purine pathway
- 12. (Currently Amended) A <u>The</u> composition of claim 9 wherein the gene is *purF*.
- 13. (Currently Amended) A <u>The</u> composition of claim 9 wherein said gene is inactivated by complete or partial deletion mutation or by insertional mutation.
- 14. (Currently Amended) A pharmaceutical <u>The</u> composition of claim 9 wherein the strain is a strain of *Francisella tularensis*.
- 15. (Currently Amended) A pharmaceutical The composition according to of claim 13 wherein the strain is a strain of *Francisella tularensis* subspecies *tularensis* or a strain of *Francisella tularensis* subspecies *novicida*.

## 16 -22. (Cancelled).

23. (Currently Amended) A method of preventing or treating infection by a *Francisella* species, which the method comprises comprising administering to an animal an effective amount of a live strain of *Francisella* species wherein a gene which that encodes an enzyme in the purine pathway has been inactivated, to produce a protective immune response in an the animal.

U.S. Patent Application No. 10/550,773 Response to Election of Species Requirement Page 4

- 24. (Currently Amended) A method according to The method of claim 23 for preventing or treating infection by *Francisella tularensis*, wherein the strain of *Francisella* species used in the method is a strain of *Francisella tularensis* subspecies *tularensis* or *Francisella tularensis* subspecies *novicida*.
- 25. (Currently Amended) The strain method of claim  $\pm$  23 wherein the gene is inactivated using cryotransformation.
- 26. (Currently Amended) A strain of The composition of claim 12, wherein the Francisella tularensis strain is subspecies tularensis wherein a gene that encodes a purF gene has been inactivated.